

1 contained whatever was in the station's Public Inspection
2 File?

3 A Um-hum.

4 Q That's a yes?

5 A Yes.

6 Q And at the time all four drawers of that file
7 drawer cabinet were unlocked?

8 A Yes.

9 Q And during that 1991 to 1996 period, did you have
10 any responsibility whatsoever for maintaining the contents
11 of that Public Inspection File?

12 A I didn't have responsibility to maintain it.

13 Q Did you have any responsibilities at all with
14 respect to the Public Inspection File?

15 A I would say that if the General Manager asked me
16 to place something in there, such as a copy of an Ownership
17 Report, or some other document, I would have placed it in
18 there.

19 Q And I believe, you know, what you told us before
20 was that the station General Manager was the person who was,
21 to your understanding, responsible for maintaining the
22 Public File in that 1991 to 1996 period?

23 A Correct.

24 Q And would that also have been the case following
25 your move to Burton High School, that the station General

1 Manager would have had responsibility for maintaining the
2 Public File?

3 A Correct.

4 Q So, in some senses though, there did come a time,
5 because of your becoming acting General Manager or Station
6 Manager, that you personally had responsibility for
7 maintaining the Public Inspection File?

8 A At that time I was the acting Station Manager, if
9 I needed, if I felt that something needed to be put in
10 there, I would have put it in.

11 Q You personally would have done it?

12 A I would have done it, there would have been no one
13 else there.

14 Q I recognize that there aren't that many people to
15 delegate things to, so it's not as if you've got a great
16 staff to call somebody in --

17 A Exactly. As of October, by October 1st the staff
18 consisted of myself and we had four permanent announcers and
19 several as needed announcers, and Phil Hartman as our
20 contract engineer, and that was the entire staff in October.

21 Q October of what year?

22 A October of 2000.

23 Q So, your second stint as acting General Manager,
24 it's not as if you had a lot of people to boss around.

25 A Yes, a pretty small group to boss around.

1 Q And what was the case during your first stint as
2 acting General Manager?

3 A There was, it was similar, we've always been a
4 small operation. There was, in that time, who was there
5 still? Besides announcers and Phil Hartman, there was, we
6 had an administrative aid person that was there working, her
7 name was Teresa Nguyen, and she worked part time as an
8 administrative function in the station, answering phones,
9 stuffing envelopes, et cetera.

10 Q Now, focusing on the period following 1991 up to
11 the point when Ms. Sawaya became the Station Manager, so
12 that's roughly what, a ten year period, 1991 to 2001?

13 A Yeah.

14 Q Did it ever come to your attention that someone
15 at, someone removed a document from the station's Public
16 File and didn't put it back?

17 A I had no knowledge that somebody had, or if
18 somebody had done that.

19 Q Did anybody ever tell you that, you know, I think
20 somebody, you know, identifying the person, took something
21 out of the Public File and didn't put it back?

22 A I never had a conversation like that, that I can
23 recall.

24 Q Now, we talked a little bit about Mr. Evans and I
25 take it that you were in a position to see him on a regular

1 basis while he was the station's Chief Engineer?

2 A Yes.

3 Q And did you, during that period of time, did you
4 have conversations with Mr. Evans about anything having to
5 do with the operation of the radio station?

6 A Yes.

7 Q Did you form any impression of Mr. Evans' honesty
8 as a result of these conversations?

9 A I'm not clear about --

10 Q Well, in other words, if he told you something
11 having to do with the operation of the radio station, would
12 you have any reason to not believe him?

13 ~~A I generally, yeah, I would say that I believed, if~~
14 ~~he made some statement of fact, I took it as fact, I didn't~~
15 ~~generally have any reason to challenge, if he mentioned~~
16 ~~anything of fact.~~

17 Q Did there ever come a time when it came to your
18 attention that whatever it was that he told you was untrue?

19 A Not that I can recall.

20 Q Do you have any -- so, on the basis of that, what
21 opinion, if any, would you have with respect to Mr. Evans'
22 honesty?

23 A In my interactions with him, I would have no
24 reason to believe he was dishonest.

25 Q Fair enough. And I take it that other co-workers

1 would occasionally discuss Mr. Evans work performance in
2 your presence?

3 A I recall conversations with Rose Levinson, and I
4 believe even Enrique Palacios, about the frustrations that I
5 mentioned before about Dave not being, Dave Evans not being
6 as available as they wished he was during the design phase
7 of the studios.

8 Q Did any hostility arise, you know, from Mr. Evans
9 as a consequence of Mr. Hartman being brought on as a
10 contract engineer?

11 A No. I think he actually liked it, that he had
12 somebody else there to take on responsibilities. They
13 seemed to get on well.

14 Q These crazy engineers.

15 A Yeah.

16 Q Do you have any knowledge as to Mr. Evans'
17 reputation as to his character?

18 A I can't say I have anything one way or the other.

19 Q Now, does the name Jason Lopez mean anything to
20 you?

21 A Yes.

22 Q And how is it that that name means something to
23 you?

24 A Well, let's see, he's a radio producer, he's also
25 involved in the license challenge. At one point he was

1 employed as an as needed announcer at KALW.

2 Q And so how far back does your acquaintance with
3 Mr. Lopez go?

4 A Approximately 1993 or so, as I recall, 1993, yes.

5 Q And at that point you were already employed at the
6 radio station and how did Mr. Lopez come into the picture?

7 A As I recall, he had been working at a radio
8 station, a public radio station in Iowa, and came to San
9 Francisco, I don't recall what brought him coming to San
10 Francisco but, we saw his, the General Manager at the time,
11 Jerry Jacob, saw that he had some talent as a radio
12 announcer and he agreed to accept a position as an as needed
13 ~~radio announcer at KALW.~~

14 Q And that situation lasted for approximately how
15 long?

16 A Up until 1997.

17 Q And what happened at that point?

18 A I believe the license challenge pretty much at
19 that point, I don't think he worked as an as needed
20 announcer after the license challenge.

21 Q His welcome may have worn out?

22 A You could construe that.

23 Q Now, did you have any personal interaction with
24 Mr. Lopez?

25 A Yes.

1 Q And at this point I'm focusing on the period 1993
2 to 1997.

3 A Okay.

4 Q And so your answer would be yes, that you had some
5 personal interaction with him during those years?

6 A Yes. One of my duties was to sign up as needed
7 announcers when they were needed, and so as Jason was one of
8 our as needed announcers, substitute as needed announcers, I
9 would often call him up and see if he would work a
10 particular shift.

11 Q Did you or Mr. Lopez ever talk about, you know,
12 why it was that a Petition to Deny was filed against the
13 KALW renewal application?

14 A No.

15 Q Are you aware of Mr. Lopez having conversations
16 with others at the radio station about the license renewal
17 challenge that Golden Gate Public Radio filed?

18 A I'm not aware of his conversations.

19 Q From your dealings with Mr. Lopez, do you have any
20 opinion as to his honesty?

21 A I don't have any opinion.

22 Q Do you have any knowledge as to his reputation for
23 character?

24 A I have no opinion.

25 Q Does the name Deirdre Kennedy mean anything to

1 you?

2 A Yes.

3 Q And how is it that that name means something to
4 you?

5 A She was employed at KALW as an as needed announcer
6 in the same capacity as Jason Lopez.

7 Q Over what period of time?

8 A Early 1990s, but I couldn't tell you exact, I
9 don't recall an exact date, although I want to say very
10 early 1990s.

11 Q And it extended for what period of time?

12 A At least through the license challenge, I don't
13 recall after the license challenge if she was still doing
14 it, being in that capacity.

15 Q Did you have any personal interaction with
16 Ms. Kennedy during this period early 1990s to 1997?

17 A Yes.

18 Q What interaction was that?

19 A Again, it was contacting her when I needed a shift
20 filled at KALW and I would call her up and see if she would
21 work a specific shift or shifts.

22 Q And as a result of your interaction with her, did
23 you form any opinion as to her honesty?

24 A I never formed an opinion regarding her honesty
25 one way or the other.

1 Q Do you have any knowledge as to her reputation for
2 character?

3 A I have no knowledge one way or another.

4 Q Okay. The next document that I'll have your
5 counsel for the SFUSD go over with you is a declaration of
6 William Helgeson that appears to have been executed on
7 January 16, 1998, as part of the opposition to Petition to
8 Deny that was filed by SFUSD on January 20, 1998 at the
9 Federal Communications Commission.

10 MR. SHOOK: Off the record.

11 (Off the record at 10:52 a.m.)

12 (Back on the record at 10:58 a.m.)

13 MR. SHOOK: Back on the record.

14 THE WITNESS: Do you want this back or just hold
15 it?

16 MR. SHOOK: Why don't you hold onto it. I'll tell
17 you what, why don't you put it between yourself and Ms. Repp
18 so that it can be referred to as needed as we go along here.

19 THE WITNESS: Okay.

20 BY MR. SHOOK:

21 Q So, first off, on page two there appears to be a
22 signature and I recognize that you've got some sight
23 difficulties but, if you could please identify that
24 signature for me?

25 A The signature is mine, it appears to be mine, yes.

1 I would say that's mine.

2 Q Do you recall executing this declaration?

3 A Yes.

4 Q Now, if you could walk us through generally how
5 this, and then we'll get more specific as we go along but,
6 if you could give me a general idea of how this declaration
7 came into existence?

8 A As I recall, our legal representative, Earnest
9 Sanchez, prepared this document, asked me to --

10 MS. REPP: Could I just interject, you can discuss
11 -- to please not discuss the substance of the advice given
12 to you by Mr. Sanchez.

13 THE WITNESS: Okay. This was presented to me by
14 Mr. Sanchez, or probably, I can't recall if it was by
15 Mr. Sanchez or by Mr. Ramirez, and I reviewed it, the
16 information, read through it carefully, and then I signed
17 it. Is that --

18 MR. SHOOK: That's a fair starting point.

19 THE WITNESS: Okay.

20 MR. SHOOK: I recognize I may jump into
21 objectionable territory so I fully expect to hear from you
22 if that's so.

23 MS. REPP: Okay.

24 BY MR. SHOOK:

25 Q In terms of how this declaration was prepared, did

1 you handwrite any information that appears in this
2 declaration?

3 A I don't recall, no, I don't recall that at all.

4 Q In other words, did you, you know, a draft of the
5 declaration, did you write out a draft of the declaration by
6 hand?

7 A No.

8 Q Did you type out a draft of the declaration, you
9 know, at your computer terminal or whatever it is that you
10 would have used?

11 A No, I have no recollection of that.

12 Q Did you speak with someone, did you provide
13 someone the factual information that appears in your
14 declaration?

15 A I certainly had conversations with Jeff Ramirez,
16 once the license challenge was filed and we had to respond
17 to it, with the services of Mr. Sanchez. And I certainly
18 had conversations with Mr. Ramirez, and I believe Mr.
19 Sanchez as well, regarding what would be the content of
20 whatever I would declare.

21 Q Were you asked by Mr. Ramirez to provide a
22 declaration?

23 A I don't recall who asked me to make the
24 declaration.

25 Q But somebody asked you to provide a declaration.

1 A This piece of paper?

2 Q Yes, sir.

3 A Yeah.

4 Q Now, focusing on, I will read a paragraph or read
5 a sentence from a paragraph and then ask you a question or
6 two about that. With respect to paragraph two, the first
7 sentence reads, 'I am presently employed by the San
8 Francisco Unified School District (SFUSD) as Program Manager
9 for KALW FM: This position is also termed 'Operations
10 Manager'.' That was information that you provided to
11 someone?

12 A It would have been knowledge to Jeff Ramirez.

13 Q It would have been within his general knowledge
14 cause of his position as Station Manager?

15 A He was my supervisor.

16 Q Now, moving onto the first sentence of paragraph
17 three, 'I have responsibility for maintaining a four drawer
18 file cabinet in my work area, located near my desk at KALW's
19 office'. The second sentence, 'The third drawer of that
20 file cabinet contains KALW's Public File.' Now, with
21 respect to the first sentence that reads, 'I have
22 responsibility for maintaining a four drawer file cabinet',
23 is that your sentence, is that your wording that 'I have
24 responsibility for maintaining a four drawer file cabinet'?

25 A The file cabinet, like I said, I explained where

1 it lived and it depends on how you -- I don't know what the
2 word 'maintain' is?

3 Q I understand that there could be nuances here but,
4 I'm just looking at this sentence and I think you know where
5 I'm going with this?

6 A Okay.

7 Q We've had, in our earlier conversation today, I've
8 asked a number of questions relative to who had
9 responsibility for maintaining the station's Public File
10 during various periods of time. And I believe your
11 testimony was to the effect that the General Manager was the
12 person who had responsibility for maintaining the station's
13 Public File. Is that an accurate rendition of what you told
14 me?

15 A That's, yes, the contents of the file.

16 Q Now, in terms of this particular sentence then,
17 the first sentence of paragraph three, 'I have
18 responsibility for maintaining a four drawer file cabinet in
19 my work area located near my desk at KALW's office', is that
20 an accurate statement?

21 A Maintaining a four drawer file cabinet, yes, sir.

22 Q And what would be involved in your maintaining
23 this four drawer file cabinet?

24 A I would put in the other three drawers, the non-
25 public, that contained matters non-Public File related, were

1 the drawers on a daily basis I would put in business related
2 material and keep my work in there related to business. The
3 Public File was one of the four drawers, the information
4 called the Public File was in one of those four drawers.

5 Q So, as far as maintaining that Public File drawer
6 is concerned, you would stand by the testimony that you gave
7 earlier today that that responsibility for maintaining that
8 file drawer was primarily the responsibility of the station
9 General Manager?

10 A The contents of the file were the responsibility
11 of the Station Manager, as far as I'm concerned.

12 Q Did you have any responsibility whatsoever for
13 maintaining that Public File drawer?

14 A Other than it just sat in there and I didn't put
15 any non-Public File information in that drawer, no.

16 Q Now, other than what you just mentioned, in terms
17 of basically I guess sort of like a negative responsibility,
18 you weren't supposed to put things in the Public File drawer
19 that belonged in one of the other drawers?

20 A The bills drawer, yeah.

21 Q You don't want to put private information or
22 station information of a non-public nature in the Public
23 File drawer?

24 A Exactly, yes, correct.

25 Q So, you would have had responsibility for making

1 sure that a piece of paper that was non-public didn't go
2 into the Public File drawer?

3 A Correct.

4 Q But, as far as actually maintaining the Public
5 File drawer, you did not have responsibility for doing so?

6 A No.

7 Q That was the station General Manager that had such
8 responsibility?

9 A True.

10 Q To your knowledge, was anybody else at the station
11 responsible for maintaining the Public File drawer?

12 A No, other than the Station Manager.

13 ~~Q Now, moving on to paragraph four, it's a one~~
14 sentence paragraph, kind of like the way I write, it reads,
15 'I am aware of and have assisted with an ongoing affirmative
16 effort, since the arrival of Jeffrey Ramirez as General
17 Manager of KALW, to update and maintain the station's Public
18 Inspection File in accordance with the rules of the Federal
19 Communications Commission.' Did you write that sentence?

20 A I did not write that sentence.

21 Q Do you know who did?

22 A I don't know.

23 Q Do you fully subscribe to that sentence?

24 A What I would say is that I supported the General
25 Manager in fulfilling whatever request I would be given to

1 maintain the Public File.

2 Q In other words, if in the context of this
3 paragraph then, if Mr. Ramirez asked you to place something
4 in the station's Public File drawer, you would have done it?

5 A Yes.

6 Q Now, in terms of the sentence here stating, 'I am
7 aware of and have assisted with an ongoing affirmative
8 effort', what ongoing affirmative effort is being referred
9 to here?

10 A I believe, well, this was in January of 1998?

11 Q Yes.

12 A And in the time leading up to that, from the time
13 ~~of the license renewal challenge~~, I think Jeff went back,
14 Jeff Ramirez went back into the file. I'm not certain what
15 he would --

16 Q Just take your time here and try to be as certain
17 as you can?

18 A Yes, okay. Beyond assisting him in whatever he
19 requested that I do, I don't recall exactly what specifics
20 this refers to. If he asked me to make copies of something,
21 I would have made copies of something. If he asked me to
22 put something in, I would have put something in. That would
23 have been the extent of my assisting in maintaining the
24 file.

25 Q Now, I recognize this is very difficult because

1 we're talking about a declaration that was made six and a
2 half years ago and it refers to events that extend another
3 year and a half back from there?

4 A Yes.

5 Q So, you know, I'll certainly try to indulge you as
6 much as possible in terms of allowing you to recall what's
7 going on here.

8 A Sure.

9 Q But, you know, let's try to step back in time,
10 it's now January 1998, there is this license renewal
11 challenge that was made in November of 1997, so that was
12 approximately two months earlier. And then, as I understand
13 ~~it from your testimony and from other information that we~~
14 have, Mr. Ramirez had been Station Manager for about another
15 year and a half prior to that time. So, he came on board
16 sometime in 1996, sometime in the what, late Spring, early
17 Summer of 1996?

18 A Mid 1996 perhaps.

19 Q Okay. So, he's been the Station Manager for more
20 than a year prior to the time the license renewal challenge
21 is made?

22 A Uh-hum.

23 Q Now, the license renewal challenge is made and
24 among other things it's making various claims about what was
25 in and what wasn't in the station's Public Inspection File.

1 Now, in that context, when you are saying, 'I am aware of
2 and have assisted with an ongoing affirmative effort, since
3 the arrival of', in other words, going back now to when Mr.
4 Ramirez showed up, 'since the arrival of Jeffrey Ramirez as
5 General Manager of KALW, to update and maintain the
6 station's Public Inspection File'. In that context, is what
7 you're telling us that you're assisting with was simply
8 photocopying and placing in the file whatever documents it
9 was that Mr. Ramirez asked you to do so?

10 A Yes.

11 Q There was no other involvement?

12 A On my own, no. I didn't take any initiative to
13 decide to put things in.

14 Q And in the reference in the paragraph when it
15 says, 'in accordance with the rules of the Federal
16 Communications Commission', did you personally look at the
17 rules to see what the rules required?

18 A No, I didn't.

19 Q Did anybody tell you what the rules required?

20 A I don't recall anyone telling me what the rules
21 required.

22 Q Do you recall ever discussing with Mr. Ramirez
23 that the Public Inspection File rule requires X and we
24 either have X or we don't have X?

25 A I don't recall that kind of a conversation where

1 he quoted federal regulation.

2 Q So, would it be fair to say that this paragraph is
3 a bit of a stretch in the sense that it suggests, to me at
4 least, that your involvement with updating and maintaining
5 the file was a good deal more than what you're telling us it
6 actually was?

7 A I would say that I assisted Jeff when he requested
8 assistance regarding the file.

9 Q And that assistance would be either photocopying a
10 document and placing it in the file or simply placing a
11 document in the file?

12 A Or taking it out if he wanted to review something,
13 or putting it back in if it was taken out.

14 Q Were you given any --

15 A I don't recall --

16 Q -- any responsibility to organize the file in any
17 particular way?

18 A No.

19 Q Do you know how it was that the file drawer was
20 organized, or am I using organization, the word 'organized'
21 is a bit of a stretch?

22 A I think organization is a bit of a stretch. There
23 seemed to be documents in it much further back than covering
24 the current license period, documents going into the
25 eighties and it seemed even the seventies. But, so I didn't

1 -- so I didn't organize the drawer in anyway.

2 Q So, you were never asked by anybody to organize
3 the drawer?

4 A No.

5 Q And you didn't organize it on your own?

6 A No, I didn't.

7 Q Are you aware of anybody who was asked to organize
8 the drawer?

9 A I'm not aware.

10 Q Are you aware of anybody on their own organizing
11 the drawer?

12 A I'm not aware. I will say subsequent -- if I can
13 answer, just to add onto that, obviously it appears Susan
14 Hecht was requested to organize and, you know, go organize
15 it in some fashion, see what was in there. Other than that,
16 I couldn't say.

17 Q Now, we may have misunderstood what it was that
18 Ms. Hecht was supposed to do. Our current understanding of
19 what she was supposed to do was that she was simply supposed
20 to look in the Public File drawer and report back to
21 Mr. Ramirez what was there. Do you have an understanding
22 that she was asked to do something in addition to simply
23 telling him what the contents was?

24 A No, I don't.

25 Q So far as you know, she wasn't asked to organize

1 the drawer, was she?

2 A Not as far as I know.

3 Q She was, was she asked to place any documents in
4 the Public File?

5 A Not as far as I know.

6 Q Was she asked to take any documents out of the
7 Public File?

8 A Not as far as I know.

9 MR. SHOOK: Do you want to take a break?

10 MS. REPP: I was going to ask.

11 MR. SHOOK: I'm clairvoyant. Off the record.

12 (Off the record at 11:16 a.m.)

13 (Back on the record at 11:21 a.m.)

14 MR. SHOOK: Back on the record.

15 BY MR. SHOOK:

16 Q Now, when we left off, Mr. Helgeson, the period of
17 time that we were focusing on was the January 1998 period
18 when this declaration that we have been talking about was
19 executed. And if I remember right, at this point in time
20 Mr. Ramirez is still the Station Manager of KALW?

21 A Yes.

22 Q And was it known to you, in January of 1998, that
23 Mr. Ramirez was on the verge of departing the station?

24 A To the best of my knowledge I learned, it was at
25 the very end of the month that I learned. It was a very

1 tense time for us all but as far as him leaving, it came as
2 a shock at the end of January.

3 Q Between the time you learned that he was leaving,
4 how much time transpired before you were informed that you
5 were going to be the acting Station Manager for the station?

6 A About two days I think. As I recall, he may have
7 told me on a Tuesday that Friday was going to be his last
8 day. And I recall a meeting that day, the next day, with
9 Mr. Palacios, where he said, instructed me just to make sure
10 everything, you know, be more of a caretaker until we decide
11 what's going to happen next.

12 Q Here's the laurel wreath, it's all yours, huh?

13 A Yeah.

14 Q In January of 1998, around the time the
15 declaration was executed, did you personally go through the
16 station Public File to see what was there?

17 A No, I didn't.

18 Q Did there ever come a time when you went through
19 the station's Public File to see what was there?

20 A To inventory it and see if specific items were
21 there?

22 Q Correct.

23 A No.

24 Q Or more generally, to look through it to see what
25 was there and what wasn't there?

1 A No. I didn't have a need. It was one of those, I
2 didn't feel I had the need to look for something specific,
3 no.

4 Q During the period of time when you were acting
5 Station Manager, did you ever ask anyone at the station to
6 look the Public File drawer to tell you what was there and
7 what wasn't there?

8 A In that period in 1998, I don't recall doing that,
9 no.

10 Q And during the period 2000 to 2001, did you do it
11 then?

12 A I recall at that point, in early 2001, going
13 through there and I was still the GM, at that point I didn't
14 know exactly when Nicole Sawaya was, when she was going to
15 be appointed, you know, it was still kind of in abeyance,
16 and felt one of the things I should do was really make sure
17 that this Public File at this point is brought up to, you
18 know, at that point take a look and see what was in there,
19 or if something needed to be put in, put it in.

20 Q So, this would have been in early 2001 you would
21 have looked at the file drawer to see what was there?

22 A Yes.

23 Q And was it in connection with any -- or how did it
24 come about that you chose to look at the Public File drawer
25 at that point in time?

1 A Most likely --

2 Q No, from what you remember. This isn't a task
3 that we would necessarily want to do because it's so much
4 fun, and this is something that you're now acting Station
5 Manager, you've been so for a couple of months and all of a
6 sudden now you're going to be looking through the Public
7 File drawer. Is there anything that you can recall that
8 triggered your action in doing that?

9 A I believe it was a conversation with Mr. Sanchez.

10 MS. REPP: Bill --

11 THE WITNESS: But, I may have had -- I'm sorry.

12 MS. REPP: If you could keep your responses on
13 ~~this general and again not get into the specifics of what~~
14 Mr. Sanchez advised you.

15 THE WITNESS: Okay. I don't recall for certain at
16 that point, I couldn't say with certainty my, what caused my
17 action at that point other than it's time to take a look at
18 it, what caused me to go into that in 2001 other than
19 should.

20 BY MR. SHOOK:

21 Q So, for whatever reason, you're now looking at the
22 station Public File and that's basically for the first time
23 that you're looking through it?

24 A For specifically overall content, yes, overall
25 what should be in a Public File versus what is in the Public

1 File, yes.

2 Q As a result of that review, what did you
3 personally do, you went through -- let me start over again.
4 You went through the Public File drawer, you opened it up
5 and you started to look through and see what was there?

6 A Yes.

7 Q Now, after doing that what did you do?

8 A After doing that it appeared to me that what was
9 missing, or what should have been there, in my opinion, that
10 wasn't there were issues covering certain periods. There
11 seemed to be periods of time right up -- that there was no
12 information there regarding what programs and issues for
13 certain periods of time.

14 Q And what did you do as a result of that, you know,
15 coming to that conclusion?

16 A Sure. I said, what can I legitimately put in the
17 file that would, so that if someone were to look at it,
18 accurately be able to see, ah ha, this is what they were
19 doing, you know, over a certain period of time.

20 Q When you came to the conclusion that there were
21 documents that were missing from the Public File that should
22 have been there, did you talk with Mr. Ramirez as to how it
23 was, you know, that you came to that conclusion?

24 A No, this was in 2001.

25 Q No, I recognize that by this time he's gone.